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IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

2005 JAN 17 P 3:50  
DENISE BYRD,

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA.

v.

McKENZIE TANK LINES, INC., et al.,

Defendants.

CASE NO. 3:05-cv-1175-F

**MOTION FOR PRO HAC VICE ADMISSION OF VISITING ATTORNEY**

COME NOW Defendants McKenzie Tank Lines, Inc. and Alton James Dupuis (hereinafter collectively "Defendants") and respectfully move this Honorable Court as follows:

1. This action was filed by Plaintiff Denise Byrd in the Circuit Court of Russell County, Alabama on November 1, 2005 and removed by Defendants to this Honorable Court on December 9, 2005.

2. Defendants are represented by Richard E. Broughton (BRO043), 2000 Interstate Park Drive, Suite 204, Montgomery, Alabama 36109, who is a licensed practitioner in the State of Alabama and a member of the Bar of this Honorable Court.

3. Defendants desire that their counsel be assisted herein in the preparation and trial of this case by Stephen E. O'Day, who is a practicing attorney with the law firm of Smith, Gambrell & Russell, LLP of Atlanta, Georgia.

4. Stephen E. O'Day was admitted to the State Bar of Georgia in 1979 and is also a member of the Bar of the United States District Court for the Northern District of Georgia. Although Stephen E. O'Day is not licensed to practice in the State of Alabama, he is a member in good standing of the aforementioned Court and is eligible to practice therein and has never

been suspended nor disbarred by any court. A Certificate of Good Standing from the United States District Court for the Northern District of Georgia is attached hereto as Exhibit A.

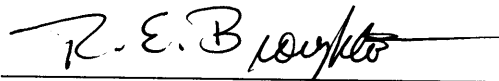
5. The Verified Application for Admission Under Local Rule 83.1 is attached hereto as Exhibit B.

6. The Consent to Admittance of Pro Hac Vice Counsel is attached hereto as Exhibit C.

7. Defendants respectfully request that this Honorable Court permit Stephen E. O'Day to appear before it herein as additional counsel for Defendants.

WHEREFORE, Defendants pray that Stephen E. O'Day of the law firm of Smith, Gambrell & Russell, LLP of Atlanta, Georgia be allowed to appear before this Honorable Court in association with Richard E. Broughton of Montgomery, Alabama as additional counsel for Defendants.

Respectfully submitted,



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Richard E. Broughton – BRO043  
Attorney for Defendants  
McKenzie Tank Lines, Inc.  
and Alton James DuPuis

OF COUNSEL:

Ball, Ball, Matthews & Novak, PA  
2000 Interstate Park Drive  
Suite 204  
Montgomery, Alabama 36110  
(334) 387-7680